

House Judiciary

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CIA Backing Lined To Trip By Douglas

Connection Drawn In Report By House Panel
Which Rejected Charges Against Justice

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Washington, Dec. 15—Justice William O. Douglas of the Supreme Court was working on a project backed by the Central Intelligence Agency during a Latin American trip cited by his foes as a cause for his impeachment; a house subcommittee report indicated today.

It was not clear whether Justice Douglas knew at the time that the CIA supported the program to teach reading through educational television. The CIA, through various conduit foundations, was supporting institutions and individuals also working on the project.

Hint Of Wrongdoing

Representative Gerald R. Ford (R., Mich.), the House minority leader, hinted in April that Justice Douglas's 1963 trips to the Dominican Republic were connected with efforts by organized gamblers to get concessions there.

The subcommittee rejected this suggestion and all others that were made by congressmen against Justice Douglas. It said there was no "creditable evidence" that he should be impeached.

The subcommittee rejected allegations that Justice Douglas had associated with professional gamblers, acted improperly—including giving legal advice—in respect to an educational foundation he headed, or had advocated revolution in his recent book, "Points of Rebellion."

The foundation was financed indirectly, but most of the money came from Nevada gambling income.

The conclusion—that the justice had not done wrong—was the view of the subcommittee's Democratic majority which included Chairman Emanuel Celler (D., N.Y.) and Representatives Jack Brooks (D., Texas) and Byron G. Rogers (D., Colo.).

The vote was announced last week, but the report was only released today. In it, Representative Edward Hutchinson (R.,

Mich.), a dissenter, complained that the committee should have taken testimony under oath.

He said that an inquiry should focus on charges that the justice gave legal advice to the Albert Parvin Foundation and to the government of the Dominican Republic.

Mr. Hutchinson said the committee also should have considered whether censure or some other action short of impeachment—which requires a majority in the House and a two-thirds Senate vote—was warranted by the record.

Case Significant

He said he also thought a case where Justice Douglas wrote immigration authorities on behalf of an Iraqi Kurd whom the justice did not know was significant.

Representative William M. McCulloch (R., Ohio), the fifth member of the subcommittee, abstained. He said last week that he favored further probing. The subcommittee plainly hoped that its report would bury the controversy over the outspokenly liberal, four-times-married justice, who is 72 and has been on the high court since 1939.

But Representative Ford immediately denounced the report as a "whitewash" and said he would support an investigation by another panel when Congress reconvenes January 21.

Douglas To Respond

Justice Douglas's office announced he would issue a statement on the report tomorrow. His attorneys had no comment today.

The report is to go to the full Judiciary Committee, but that panel, also headed by Mr. Celler, has no meetings scheduled this week. It got control of the issue after a series of impeachment resolutions were introduced last winter and spring by conservative Republicans and Southern Democrats.

They had asked for a special investigative committee. But Representative Andrew Jacobs, Jr. (D., Ind.), a liberal, introduced a successful resolution of his own which referred the case to the Judiciary Committee.

Mr. Jacobs, however, while saying he is neutral on the issue of Justice Douglas's fitness, now is also critical of the subcommittee for not taking sworn testimony in public.

Conferred On Parvin

The justice's varied off-the-bench activities were studied in considerable detail in the 924-page report, though most of the attention concentrated on his ties to Albert Parvin and the Albert Parvin Foundation.

The foundation, which he left in 1969, paid him \$66,680 between 1960 and 1969. In the same period his salary as a justice totaled \$389,749.26, and his net income from writing and lecturing was \$377,260.19.

Among the items disclosed in the report, which Mr. Celler said was a distillation of 500,000 documents examined by the subcommittee staff, were:

1. That President Johnson, according to a letter from the justice to Robert M. Hutchins, president of the Center for the Study of Democratic Institutions, spent two hours with Justice Douglas June 8, 1966, most of the time devoted to discussing Vietnam, and gave the justice "a very simple recipe for resolving the Vietnam conflict," which the justice did not feel free to disclose.

Sought Loan

2. That Justice Douglas approached Mr. Parvin about an \$8,000 loan in 1963 to buy some land adjacent to his summer home at Goose Prairie, Wash.

Mr. Parvin warned him against "the resulting innuendos or repercussions as a result of a personal loan from me." The justice then borrowed the money from his regular bank.

3. That Justice Douglas apparently believed that the first newspaper article connecting him to the Parvin Foundation and to gambling by Ronald J. Ostrow, of the Los Angeles Times, in October, 1966, was stimulated by an FBI leak designed to force him out of a Supreme Court case concerning Fred B. Black, an associate of Robert L. (Bobby) Baker. (Mr. Black, in attacking his conviction, assailed the FBI for "bugging" his hotel suite.)

No Contacts

Justice Douglas asserted the FBI-leak theory October 17, 1966, in a letter to Mr. Parvin, adding that he had "had nothing to do with Black, Bobby Baker, or Levinson, who will shortly be indicted, according to common rumor here."

Mr. Baker was indicted in January, 1967. Edward Levinson was indicted in May, 1967, and convicted in 1968 on a charge of "skimming" Las Vegas gambling profits before paying taxes.

But the CIA-Dominican Republic affair was the most interesting to the investigators, and apparently gave the subcommittee the most difficulty.

The report shows that the Parvin Foundation gave money to the Inter-American Center for Economic and Social Studies in Santo Domingo. The money was to be used in connection with the literary project, in which Justice Douglas took a considerable personal interest in 1963.

CIA Secretive

The report records the CIA's refusal, despite repeated urging from the committee, to indicate the relation of Sacha Volman, a representative of both the foundation and the inter-American center, to the CIA.

Mr. Volman, a Romanian refugee, is identified elsewhere in the report in terms which make it appear that he was a CIA agent, assisting President Juan Bosch of the Dominican Republic before the latter's overthrow in late 1963.

In 1964 a House probe into foundations disclosed that another group Mr. Volman ran got money from the CIA through a foundation, the J. M. Kaplan Fund.

John Bartlow-Martin, who was U.S. ambassador in Santo Domingo at that time, said today in a telephone interview that he recalled Justice Douglas's interest in the literacy project, which also involved the National Association of Broadcasters, the Peace Corps and the Agency for International Development.

"Was Involved"

"I was very involved and so was Juan Bosch. Volman was involved in everything," Mr. Martin said, indicating that when Mr. Bosch was overthrown September 25, 1963, Mr. Volman rescued the television tapes.

Asked if he knew then that Mr. Volman worked for the CIA, Mr. Martin replied, "I don't think I can answer that." He also said

he did not know at that time of any CIA funding for the various projects.

A source close to Justice Douglas indicated today that he, too, only learned later of the CIA connection.

The committee concluded that on Mr. Douglas's trips to the Dominican Republic, and in general, "There is no evidence that connects Justice Douglas with alleged criminals and alleged organized-crime activities which afford a basis for a charge of impeachment."

Clears Douglas

The subcommittee also found no substance to charges that Justice Douglas:

1. Improperly failed to disqualify himself from high court cases in which he had an interest. It found that the cases cited, one involving the foundation's relations with a savings and loan institution, were all regarded as "frivolous" by the high court and dismissed routinely, and that it was not customary for justices to step out of such cases.

2. Taken a \$5,000 payoff for holding up a court order barring a California osteopath from practicing. The report termed this charge a lie.

3. Practiced law by offering advice on constitution-making in the Dominican Republic, and by his connection with the incorporation of the Parvin Foundation and his advice, as president, on its subsequent tax difficulties.

The report also found no grounds for impeachment in what it termed alleged "non-criminal misbehavior" involving:

1. Mr. Douglas's recent book, "Point of Rebellion," which the committee said was protected by the First Amendment and, in any case, was a warning of ways to avoid violent revolution.

2. Publication of part of it in *Evergreen Review*, adjacent to pictures of nudes performing unusual sex acts. The report said the justice had no control over placement of the article.